

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Cheng-Song Qi, Van Wang and Timothy G. Wade
Application No.: 10/825,030 Group: 2619
Filed: April 14, 2004 Examiner: Nima Mahmoudzadeh
Confirmation No: 7381
For: Method and Apparatus for Eliminating False Voice Detection in Voice Band Data Service

AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Advisory Action mailed from the U.S. Patent and Trademark Office on October 1, 2008 in the above-identified application. Reconsideration and further examination are requested.

An one-month extension of time to respond to the Advisory Action is respectfully requested from the October 1, 2008 mail date of the Advisory Action pursuant to MPEP § 706.07(e). Because the Advisory Action was not mailed until after the end of the three-month period that ended on September 16, 2008, Applicants believe that the shortened statutory period expired on the date the Advisory Action was mailed, *viz.*, October 1, 2008 and that any extension of time is calculated from October 1, 2008. Accordingly, Applicants believe that the Advisory Action misidentifies that the period for reply as three months from the mail date of the final rejection, and in error, requires a two-month extension of time. If Applicants are incorrect in their understanding, the Office is authorized to charge Applicants for a two-month extension of time. A Petition for Extension of Time and the appropriate fee are being filed concurrently with this Amendment.

Please amend the application as follows: